

# INTERROGATORIES AND DEPOSITION <sup>1</sup>

<sup>1</sup>This form to be used when a deposition is taken on written interrogatories. It may be appropriately modified when used for an oral deposition. (See generally, RCM 702, MCM, 1984.)

UNITED STATES )

v. )

In the Matter of <sup>2</sup> )

<sup>2</sup>Strike out words not applicable.

Deposition of \_\_\_\_\_ (stationed)(residing) <sup>2</sup>

at \_\_\_\_\_ to be read in evidence before a <sup>3</sup>

<sup>3</sup>General, special, or summary court-martial, military commission, court of inquiry, or military board.

\_\_\_\_\_ of the United States,

convened to meet at \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_ dated \_\_\_\_\_, \_\_\_\_\_

<sup>4</sup>Insert name or title of person who is requested to authorize the taking of the deposition. A separate letter complying with RCM 702(c)(2) should be enclosed.

TO: <sup>4</sup> \_\_\_\_\_

It is requested that you authorize the deposition of the above-named witness to be taken on the following interrogatories.

## TRIAL COUNSEL OR OTHER PERSON REQUESTING DEPOSITION <sup>5</sup>

a. TYPED NAME (Last, First, Middle Initial)

b. OFFICIAL TITLE

c. UNIT/COMMAND NAME

d. LEGAL QUALIFICATIONS

e. SIGNATURE

f. RANK

g. DATE SIGNED

<sup>5</sup>To be subscribed by the trial counsel or other person requesting the deposition with name, rank, unit/command name, and official title, as "trial counsel," "defense counsel," "summary court," "recorder," etc. Describe legal qualifications, as "certified in accordance with Article 27(b)," "member of the bar of the Supreme Court of \_\_\_\_\_" etc.; if none, so state.

TO: \_\_\_\_\_

You will take or cause to be taken the deposition of the above-named witness on the following interrogatories, cross-interrogatories, and additional interrogatories, if any. <sup>6</sup>

By \_\_\_\_\_ of \_\_\_\_\_

<sup>6</sup>If it is desired to give special instructions, there should be added "special instructions attached."

## PERSON ORDERING DEPOSITION OR PERSON SIGNING THEREFOR

a. TYPED NAME (Last, First, Middle Initial)

b. RANK

c. SIGNATURE

d. UNIT/COMMAND NAME

e. OFFICE TITLE

<sup>1</sup> The officer taking the deposition shall administer the following oath to the deponent prior to deposing: "You (swear) (affirm) that the evidence you give shall be the truth, the whole truth, and nothing but the truth, so help you God?"

<sup>2</sup> If the spaces for answers are not sufficient, extra sheets may be inserted by the officer taking the deposition. In such case, he/she will rewrite the interrogatories, writing the answers immediately below the respective interrogatories.

Interrogatories propounded by the above-named person requesting the deposition are as follows:

First Interrogatory: Are you in the military service of the United States? If so, what is your full name, rank, unit/command name, and station? If not, what is your full name, occupation, and residence?

Answer: <sup>2</sup>

Second interrogatory: Do you know the accused? If so, how long have you known him/her?

Answer:

Third interrogatory:

Answer:

<sup>1</sup>To be subscribed by the defense counsel or other person with name, pay grade, unit/command name, and official title. Describe legal qualifications, as "certified in accordance with Article 27(b)," "member of the bar of the Supreme Court of \_\_\_\_\_," etc.; if none, so state. When deposition is requested by the defense, the trial counsel propounds the cross-interrogatories.

<sup>2</sup>If none, so state.

<sup>3</sup> Insert "court," "commission," "board," if appropriate. If not applicable, or if no inter-rogatories are propounded, so state.

The following cross-interrogatories are propounded by:

PERSON PROPOUNDING CROSS-INTERROGATORIES<sup>1</sup>

a. TYPED NAME (Last, First, Middle Initial)	b. OFFICIAL TITLE		
c. UNIT/COMMAND NAME	d. LEGAL QUALIFICATIONS		
e. SIGNATURE		f. RANK	g. DATE SIGNED

First cross-interrogatory: <sup>2</sup>

Answer:

Additional interrogatories by the \_\_\_\_\_ are as follows: <sup>3</sup>

Answer:

My answers to the foregoing interrogatories, cross-interrogatories, if any, are indicated above.

**WITNESS**

a. TYPED NAME (Last, First, Middle Initial)

b. SIGNATURE

c. DATE SIGNED

**CERTIFICATE OF PERSON TAKING DEPOSITION**

I certify that the above deposition was duly taken by me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_; the above-named witness, having been first sworn by me, gave the foregoing answers to the several interrogatories; that the above-named witness was given an opportunity to read his/her testimony after it was reduced to writing, and all corrections desired by the above-named witness were made; and the above-named witness subscribed the foregoing deposition in my presence at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. I further certify that the detailed reporter was duly sworn by me and that said reporter signed in my presence the reporter's certificate appearing below.

**OFFICER TAKING DEPOSITION**

a. TYPED NAME (Last, First, Middle Initial)

b. RANK

c. SIGNATURE

d. DATE SIGNED

e. UNIT/COMMAND NAME

f. OFFICIAL TITLE

**REPORTER'S CERTIFICATION**

I certify that the foregoing interrogatories and answers thereto are a true, complete and accurate transcription of the interrogatories propounded to and the answers by the above- named witness.

**REPORTER**

a. TYPED NAME (Last, First, Middle Initial)

b. SIGNATURE

c. DATE SIGNED

d. UNIT/COMMAND NAME